

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Osiris S. Kafu,

Plaintiff,

v.

Kelly Services,

Defendant.

C/A No. 3:04-23360-CMC-BM

OPINION AND ORDER

Plaintiff, proceeding *pro se*, filed this action against Defendant claiming discrimination on the basis of gender, religion, or both. Defendant filed a motion for summary judgment on May 30, 2006. The court issued a *Roseboro* order on May 31, 2006, advising Plaintiff of the summary judgment procedures and warning Plaintiff that if he failed to respond adequately, the Defendant's motion may be granted, thereby ending his case.

Plaintiff filed a response to the summary judgment motion on July 5, 2006. Defendant filed a reply and motion to strike certain evidence on July 12, 2006.

In accordance with this court's order of reference, 28 U.S.C. § 636(b)(1)(A) and (B) and Local Rule 73.02(B)(2)(e) and (g), D.S.C., this matter was referred to United States Magistrate Judge Bristow Marchant for a Report and Recommendation ("Report"). The Magistrate Judge filed his Report on January 24, 2007, recommending that Defendants' motion for summary judgment be **granted** and this case be **dismissed**. The Magistrate Judge notified the parties of their right to file objections to the Report and the serious consequences if no objections were filed. Plaintiff has filed objections which are now before the court for review.

This court is charged with making a *de novo* determination of any portion of the Report to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b). The court reviews only for clear error in the absence of an

objection. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

After conducting a *de novo* review of all matters as to which Plaintiff has specifically objected, and a review for clear error as to all other matters, the court reaches the same conclusions as the Magistrate Judge and for the same reasons. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and incorporated by reference.

IT IS HEREBY ORDERED that Defendants’ motion for summary judgment is **granted** and the case is **dismissed**.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
February 7, 2007

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